



# Drug Trafficking Act 1994

## 1994 CHAPTER 37

### PART II

#### DRUG TRAFFICKING MONEY IMPORTED OR EXPORTED IN CASH

#### **44 Appeal against forfeiture order made by a magistrates' court**

- (1) This section applies where an order for the forfeiture of cash ("the forfeiture order") is made under section 43 of this Act by a magistrates' court.
- (2) Any party to the proceedings in which the forfeiture order is made (other than the applicant for the order) may, before the end of the period of 30 days beginning with the date on which it is made, appeal to the Crown Court or, in Northern Ireland, to a county court.
- (3) An appeal under this section shall be by way of a rehearing.
- (4) On an application made by the appellant to a magistrates' court at any time, that court may order the release of so much of the cash to which the forfeiture order relates as it considers appropriate to enable him to meet his legal expenses in connection with the appeal.
- (5) The court hearing an appeal under this section may make such order as it considers appropriate.
- (6) If it upholds the appeal, the court may order the release of the cash, or (as the case may be) the remaining cash, together with any accrued interest.
- (7) Subsection (3) of section 43 of this Act applies in relation to a rehearing on an appeal under this section as it applies to proceedings under that section.